

# United States District Court

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WESTERN DISTRICT OF NEW YORK

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Richard Mills

## JUDGMENT IN A CIVIL CASE

CASE NUMBER: 05-CV-765A

v.

T. Poole and State of New York

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the petition is dismissed without prejudice. Further, a certificate of appealability is denied and leave to appeal as a poor person is denied.

Date: March 15, 2005

RODNEY C. EARLY,  
CLERK

By: s/Deborah M. Zeeb  
Deputy Clerk